



WEST VIRGINIA REGISTER

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CHRONOLOGICAL INDEX, VOLUME XXVIII ISSUE 12**NEW PROPOSED RULES FILED FOR PUBLIC COMMENT THIS WEEK**

| <u>AGENCY</u> | <u>RULE/TYPE</u> | <u>AUTHORITY</u> | <u>HEARING/COMMENT PERIOD/LOCATION</u> |
|--------------------------------------|---|---|--|
| Public Service Commission (150-3) | Rules and Regulations for the Government of Electric Utilities Legislative Exempt | §§24-1-1, 24-1-7, 24-2- 1 and 24-2-2 | Written Comments Only April 21, 2011, 4:00 pm Public Service Commission of WV 201 Brooks Street PO Box 812 Charleston, WV 25323 |

NO NEW EMERGENCY RULES WERE FILED THIS WEEK

| <u>AGENCY</u> | <u>RULE/TYPE</u> | <u>AUTHORITY</u> | <u>EFFECTIVE DATE</u> | <u>DATE NOTICE FOR HEARING</u> |
|----------------------|-------------------------|-------------------------|------------------------------|---------------------------------------|
| | | | | |

| MEETING NOTICES | | | |
|--|------------|--|--|
| Open Governmental Proceedings Act §6-9A et seq. | | | |
| Agency | Date Filed | Purpose | Meeting Date/Location |
| Architects, Board of <i>Board Meeting</i> | 3/23/2011 | Emergency meeting to approve the State approved across the board salary increase for state employees for our agency. To discuss and determine the next step with a complaint submitted to our office. | March 25, 2011 10:00 AM Telephone Conference call meeting originating from the Board Office located at 916 5th Avenue, Suite 410 4th floor, Huntington, WV |
| Blue Ridge CTC | 1/6/2011 | Regularly scheduled business meeting. | April 6, 2011 11:30 AM Blue Ridge CTC Technology Center 5550 Winchester Ave. Martinsburg, WV 25405 |
| Deaf and Hard of Hearing, Commission for the | 3/22/2011 | Meeting with Deaf Caucus and WVAD | March 31, 2011 10:00 AM Capitol Complex Building 7, Capitol Room Charleston, WV |
| DNR Law Enforcement <i>Physically Challenged Advisory Board</i> | 2/3/2011 | To discuss the various aspects and/or problems facing the different sections of the Division of Natural Resources, wildlife, and the physically challenged citizens and to solve those problems if possible. | April 5, 2011 3:00 PM Division of Natural Resources Building 324 Fourth Avenue South Charleston, WV 25303 |
| Early Childhood Advisory Council , WV | 3/2/2011 | Program and Policy Technical Assistance | April 6, 2011 1:30 AM Center for Professional Development 209 Hale Street Charleston, WV 25301 |
| Early Childhood Advisory Council , WV | 3/2/2011 | Program and Policy Technical Assistance | April 6, 2011 1:30 PM Center for Professional Development 209 Hale Street Charleston, WV 25301 |
| Environmental Protection, WV Dept. of <i>Water Quality Standards Program</i> | 3/17/2011 | Quarterly meeting to discuss water quality issues | March 31, 2011 1:00 PM WV Department of Environmental Protection Coopers Rock Conference Room (Rooms 1203 & 1204) 601 57th Street SE Charleston, WV |
| Fairmont State University Board of Governors <i>Finance & Facilities Committee</i> | 3/11/2011 | Follow-up to meeting held on March 28, 2011. Items of Discussion: 1. Presentation of new on-line reporting tool; 2. End of January Financial Report and Capital Project Report; 3. Student Fee Increase Legislation; 4. Student Fee Increase Proposal; 5. Auxiliary and E&G Budget Proformas for 2012; 6. Falcon Center 20-year Budget Planning Document; 7. Possible pay raise for 2012 based on Governor's budget proposal; 8. New Strategic Budget Planning Process; 9. Progress report on acquisition of properties; 10. Power Point presentation of white paper; 11. Internal Auditor discussion; 12. Committee's responsibility (discussion with Chairman Muriale and President Krepel); 13. Capital Project Change Order potential for HVAC Project for Hunt Haught Hall | April 6, 2011 8:00 AM Fairmont State University 1201 Locust Avenue - 219 Hardway Fairmont, WV 26554 |

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

| MEETING NOTICES | | | |
|---|------------|--|--|
| Open Governmental Proceedings Act §6-9A et seq. | | | |
| Agency | Date Filed | Purpose | Meeting Date/Location |
| Holocaust Education, WV Commission of | 3/17/2011 | Regular Meeting | April 6, 2011 10:00 AM Waterfront Place Hotel 2 Waterfront Place Morgantown, WV |
| Infrastructure & Jobs Development Council <i>COUNCIL MEETING</i> | 3/10/2011 | Conduct General Council Business | April 6, 2011 9:30 AM Northgate Business Park Water Development Authority 180 Association Drive Charleston, WV 25311 |
| Infrastructure & Jobs Development Council <i>FUNDING COMMITTEE MEETING</i> | 3/10/2011 | The purpose of the Funding Committee meeting will be to conduct general business and consider other matters as may be brought to the attention of the Funding Committee. | April 1, 2011 9:30 AM Northgate Business Park Water Development Authority 180 Association Drive Charleston, WV 25311 |
| Investment Management Board, West Virginia <i>Organizational Governance Committee</i> | 3/22/2011 | AGENDA: Approval of minutes; consider board's self-evaluation consultant | March 30, 2011 8:30 AM 500 Virginia Street, East Suite 200 Charleston, WV 25301 |
| Justice and Community Services, Division of <i>Law Enforcement Training (LET) Subcommittee</i> | 10/21/2010 | To address training and certification matters concerning West Virginia law enforcement officers | March 31, 2011 9:00 AM Professional Development Center West Virginia State Police Academy Dunbar WV |
| Justice and Community Services, WV Division of <i>West Virginians Against Violence Committee</i> | 2/24/2011 | STOP VAWA Grant Reviews | March 30, 2011 9:00 AM WV Coalition Against Domestic Violence Office 5004 Elk River Road South Elkview, WV 25071 |
| Justice and Community Services, WV Division of <i>West Virginians Against Violence Committee</i> | 2/24/2011 | STOP VAWA Grant Reviews | March 31, 2011 9:00 AM WV Coalition Against Domestic Violence Office 5004 Elk River Road South Elkview, WV 25071 |
| Kanawha County Solid Waste Authority | 3/16/2011 | To establish new employee policies | March 31, 2011 10:00 AM 600 Slack Street Charleston WV 25301 |

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

| MEETING NOTICES | | | |
|---|------------|--|--|
| Open Governmental Proceedings Act §6-9A et seq. | | | |
| Agency | Date Filed | Purpose | Meeting Date/Location |
| Medical Imaging & Radiation Therapy Technology Board | 12/10/2010 | Quarterly Board meeting. Agenda will be available at the office or on the Board's web page one (1) week prior to the meeting. | March 31, 2011 5:00 PM Country Inns & Suites Elkview, WV |
| New River Community and Technical College <i>Board of Governors Executive Committee</i> | 3/17/2011 | Discuss the President's Annual Evaluation. | April 1, 2011 2:00 PM 127 Dye Drive Annex Building Room A-5 Beckley, WV |
| North Central Regional EMS, Inc. <i>Board of Directors</i> | 3/1/2011 | Regular Meeting of the Board of Directors | April 5, 2011 12:00 PM Valley Volunteer Fire Department 1707 Pleasant Valley Road Fairmont, WV 26554 |
| Oil and Gas, Office of - Environmental Protection <i>Oil and Gas Inspectors Examining Board</i> | 3/21/2011 | The Board will meet, along with the Office of Oil and Gas Chief, to review applications received for Oil and Gas Inspector. The Oil and Gas Inspectors Examining Board will deem all applicants as eligible or ineligible candidates to take the Oil and Gas Inspector Exam. | March 31, 2011 9:00 AM WV Department of Environmental Protection Cranberry River - Room #2062 601 57th Street, SE Charleston, WV 25304 |
| Optometry, WV Board of | 3/22/2011 | to discuss filing of legislative rules | April 1, 2011 8:00 AM conference call. Those who wish to attend may come to the Board office at 179 Summers Street, Suite 231, Charleston, WV 25301 |
| Partnership to Promote Community Well-Being, WV <i>Communication, Procedures, Government Affairs Workgroup</i> | 3/18/2011 | Quarterly Meeting (agenda available at http://www.preynet.org/wvpartnership/workgroups.aspx) | April 5, 2011 1:00 PM WV Prevention Resource Center 1400 Ohio Ave. Dunbar (directions available at www.preynet.org) |
| Professional Development, WV Center for <i>WV State Staff Development Advisory Council</i> | 3/3/2011 | Development of 2011-2012 WV Master Plan for Statewide Professional Development | March 30, 2011 10:00 AM Teleconference |
| Public Broadcasting, WV <i>The Friends of WVPBS</i> | 3/10/2011 | Special called meeting of the board of directors of the Friends of WVPBS. | April 5, 2011 10:00 AM 600 Capitol Street Charleston, WV 25301 |

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

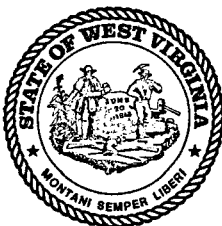
| MEETING NOTICES | | | |
|---|------------|---|---|
| Open Governmental Proceedings Act §6-9A et seq. | | | |
| Agency | Date Filed | Purpose | Meeting Date/Location |
| Public Employees Grievance Board, WV | 3/23/2011 | To conduct routine business. The Agenda will be posted on the Board's web site, www.pegb.wv.gov , at least three days prior to the meeting. | March 30, 2011 3:00 PM 1596 Kanawha Boulevard East, Charleston. Exit 99 off I-64 Turn right at light. At second stop light/Kanawha Blvd, turn right. Office is the second house past Elizabeth Street. Parking is available on the Boulevard or behind the office. |
| Public Employees Grievance Board, WV | 3/4/2011 | To conduct routine business. The Agenda will be posted on the Board's web site, www.pegb.wv.gov , at least three days prior to the meeting. | April 6, 2011 3:00 PM 1596 Kanawha Boulevard East, Charleston. Exit 99 off I-64. Turn right at light. At second stop light/Kanawha Blvd, turn right. Office is the second house past Elizabeth Street. Parking is available on the Boulevard or behind the office. |
| Public Works, WV Board of | 3/17/2011 | This meeting is being conducted pursuant to the provisions of chapter 11, article 8, section 8 of the WV Code. The primary purpose of the meeting is to certify tax rates on each class of property. The Board will also consider the approval of several transfers of property and any other business that may be properly presented. A detailed agenda will be available prior to the meeting in the Secretary of State's Office. | April 6, 2011 9:00 AM Governor's Cabinet and Conference Room Building 1, Suite 10 State Capitol Complex |
| Ron Yost Personal Assistance Services Program | 3/22/2011 | Monthly Board Meeting | April 5, 2011 1:30 PM WV Statewide Independent Living Council 5010 C Fairlawn Ave. Institute, WV |
| Sesquicentennial of the American Civil War Commission, West Virginia | 3/17/2011 | Regular Business. | March 30, 2011 10:30 AM Conference Room Department of Education and the Arts 1900 Kanawha Boulevard, East State Capitol Complex, Building 5, Room 205 Charleston, WV 25305 |
| Southern WV Community and Technical College <i>Board of Governors Agenda Committee</i> | 3/23/2011 | To establish the agenda for the April 19, 2011 business meeting of the Southern WV Community and Technical College Board of Governors. | April 5, 2011 9:00 AM Southern WV Comm. and Technical College 2900 Dempsey Branch Road, Room 428-C Mount Gay, WV and by teleconference. |
| Speech/Audiology, WV Board of Exam.for | 3/21/2011 | Code 30-32 update; New Board Member; 2010 Renewal Update; Complaint/Disciplinary Action; Other Board Business as Required | March 31, 2011 5:00 PM Days Hotel Room # for meeting will be posted at Hotel Flatwoods, WV 26621 |

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

| MEETING NOTICES | | | |
|--|------------|---|---|
| Open Governmental Proceedings Act §6-9A et seq. | | | |
| Agency | Date Filed | Purpose | Meeting Date/Location |
| Statewide Independent Living Council, WV | 3/23/2011 | Regular Council Meeting | April 6, 2011 9:00 AM Large Conference Room F. Ray Power Building Division of Rehabilitation Services Institute, WV |
| Volunteer West Virginia <i>External Relations Committee</i> | 3/22/2011 | External Relations Committee Meeting | April 5, 2011 9:00 AM Volunteer West Virginia Offices 710 Central Avenue Charleston, WV 25302 |
| WV Conservation Agency <i>WV State Conservation Committee</i> | 2/10/2011 | Agenda: Review of Meeting Minutes, Supervisor Actions, Supervisor Resignations, Supervisor Vacancy Appointments, Supervisor Status, Unfinished Business, New Business, Agreements/Contracts/Grants, Conservation Partnership Reports, Conservation Committee Member Reports | April 5, 2011 1:30 PM Gus R. Douglass Agricultural Center at Guthrie |
| WVU Parkersburg <i>Board of Governors</i> | 3/9/2011 | Regular meeting of the WVU Parkersburg Board of Governors. Agenda items include Honorary Degrees for May Commencement, Admission to AAS in Nursing Revision, Sabbatical Leave for 2011-2012. A complete agenda will be posted online prior to the meeting at www.wvup.edu/board_of_governors . | March 30, 2011 5:15 PM WVU Parkersburg 300 Campus Drive Parkersburg, WV 26104 |
| WVU Parkersburg <i>Board of Governors Executive Committee</i> | 3/7/2011 | Meet with WVU at Parkersburg Foundation Executive Committee to review Campaign Feasibility Study Presentation. | March 31, 2011 12:00 PM WVU Parkersburg 300 Campus Drive Parkersburg, WV |

**This meeting was filed late and does not comply with the Open Governmental Proceedings Act*

| <u>PRICE LIST</u> | | |
|--------------------------------------|--|---------------|
| <u>AGENCY</u> | <u>RULE/ORDER</u> | <u>AMOUNT</u> |
| Public Service Commission (150-3) | Rules and Regulations for the Government of Electric Utilities | \$13.40 |



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GUIDE FOR USING THE RULE MONITOR IN THE STATE REGISTER

| | |
|--------|---|
| Column | 1. Agency Name, (Title and Series Number) |
| Column | 2. Rule Title, Price and Type |
| Column | 3. Date Notice of Public Hearing or Comment Period Filed |
| Column | 4. Date of Public Hearing or Last Date Comments Will Be Received |
| Column | 5. Date Emergency Rule Filed, Emergency Amendments Filed, Emergency Rule Decision (ERD) Number & Date ERD Filed (Effective Date of Emergency Rule) |
| Column | 6. Date Agency Approved Legislative Rules Filed. |
| Column | 7. Date Review by the Legislative Rule-Making Review Committee & Action Taken **Please Note** <i>The Board of Education, Board of Trustees & Board of Directors File Their Rules With the Educational Over-Sight Committee</i> |
| Column | 8. Legislative Action |
| Column | 9. Date Agency Final Files Legislative, Procedural or Interpretive Rules. This is the Final Step for Procedural & Interpretive Rules |
| Column | 10. Date Rule is Effective |

-
- Titles followed by an asterisk (**) indicate that the rule is in effect as an emergency
 - Emergency rules will not have a "Notice" date until the agency files one but the rule will appear in Columns 1, 2 & 5. An Agency must file for either a public hearing or public comment period either before filing as an emergency or no more than 30 days after filing the rule as an emergency
 - If more than one date appears in a column, it means the agency has repeated that step (ex. - holding an additional public hearing)
 - If a particular step is not required by law for a particular rule, the "N/A" will appear in the excluded step column
 - Once a rule becomes effective & the effective date appears in Column 10, the rule will be removed from the monitor after the rule is distributed in the loose leaf version of the Code of State Rules

CROSS REFERENCE OF RULE MONITOR TITLE NUMBERS AND AGENCIES

| <u>TITLE NUMBER</u> | <u>NAME OF AGENCY</u> |
|----------------------------|--|
| TITLE 3 | BARBERS AND COSMETOLOGISTS |
| TITLE 7 | PROFESSIONAL ENGINEERS |
| TITLE 10 | LICENSED PRACTICAL NURSES |
| TITLE 11 | MEDICINE |
| TITLE 13 | OCCUPATIONAL THERAPY |
| TITLE 14 | OPTOMETRY |
| TITLE 15 | PHARMACY |
| TITLE 16 | PHYSICAL THERAPY |
| TITLE 17 | PSYCHOLOGISTS |
| TITLE 20 | SANITARIANS |
| TITLE 24 | OSTEOPATHY |
| TITLE 25 | SOCIAL WORK EXAMINERS |
| TITLE 26 | VETERINARY MEDICINE |
| TITLE 27 | COUNSELING |
| TITLE 29 | SPEECH-LANGUAGE PATHOLOGY & AUDIOLOGY |
| TITLE 33 | OFFICE OF WASTE MANAGEMENT (FORMERLY PART OF TITLE 47) |
| TITLE 35 | OFFICE OF OIL AND GAS |
| TITLE 36 | COAL MINE HEALTH & SAFETY |
| TITLE 38 | MINING & RECLAMATION |
| TITLE 42 | LABOR |
| TITLE 45 | OFFICE OF AIR QUALITY |
| TITLE 47 | OFFICE OF WATER RESOURCES |
| TITLE 48 | MINES TRAINING EDUCATION & CERTIFICATION |
| TITLE 56 | MINERS' HEALTH, SAFETY AND TRAINING |
| TITLE 58 | NATURAL RESOURCES |
| TITLE 60 | ENVIRONMENTAL PROTECTION, SECRETARY'S OFFICE |
| TITLE 61 | AGRICULTURE |
| TITLE 63 | CONSERVATION AGENCY |
| TITLE 64 | HEALTH |
| TITLE 65 | HEALTH CARE AUTHORITY |
| TITLE 69 | HEALTH & HUMAN RESOURCES |
| TITLE 76 | SENIOR SERVICES |
| TITLE 78 | HUMAN SERVICES |
| TITLE 81 | STATE POLICE |
| TITLE 82 | CULTURE AND HISTORY |
| TITLE 85 | WORKERS COMPENSATION BY THE INSURANCE COMMISSION |
| TITLE 86 | VETERANS AFFAIRS |
| TITLE 87 | FIRE COMMISSION |
| TITLE 90 | CORRECTIONS |
| TITLE 91 | MOTOR VEHICLES |
| TITLE 94 | REGIONAL JAIL & CORRECTIONAL FACILITY AUTHORITY |
| TITLE 96 | WORKFORCE WEST VIRGINIA |
| TITLE 110 | TAX DEPARTMENT |
| TITLE 112 | TREASURER |
| TITLE 113 | HEALTH INSURANCE PLAN |
| TITLE 114 | INSURANCE |
| TITLE 126 | EDUCATION |
| TITLE 127 | SECONDARY SCHOOLS ACTIVITIES COMM. |
| TITLE 133 | HIGHER EDUCATION POLICY COMMISSION |
| TITLE 135 | COMMUNITY & TECHNICAL COLLEGE EDUCATION |
| TITLE 143 | PERSONNEL |
| TITLE 144 | TOURISM |
| TITLE 146 | STATE ELECTION COMMISSION |
| TITLE 148 | ADMINISTRATION |
| TITLE 149 | CRIME, DELINQUENCY AND CORRECTION |
| TITLE 150 | PUBLIC SERVICE COMMISSION |
| TITLE 153 | SECRETARY OF STATE |
| TITLE 157 | DIVISION OF HIGHWAYS |
| TITLE 158 | ETHICS COMMISSION |
| TITLE 162 | CONSOLIDATED PUBLIC RETIREMENT BOARD |
| TITLE 172 | STATE RAIL AUTHORITY |
| TITLE 175 | ALCOHOL BEVERAGE CONTROL COMMISSION |
| TITLE 176 | ALCOHOL BEVERAGE CONTROL COMMISSION - BEER |
| TITLE 177 | ATHLETIC COMMISSION |
| TITLE 178 | RACING COMMISSION |
| TITLE 179 | LOTTERY |
| TITLE 184 | PARKWAYS ECONOMIC DEV. & TOURISM AUTHORITY |
| TITLE 190 | REAL ESTATE APPRAISER LICENSING & CERTIFICATION BOARD |
| TITLE 191 | FAMILY PROTECTION SERVICES BOARD |
| TITLE 199 | EXPLOSIVES & BLASTING |
| TITLE 204 | HATFIELD-MCCOY REGIONAL RECREATION AUTHORITY |
| TITLE 205 | OUTDOOR HERITAGE CONSERVATION FUND |
| TITLE 207 | COALFIELD COMMUNITY DEVELOPMENT |
| TITLE 210 | GOHELP |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|------------------------------|--|-----------|-----------|------------------------------------|-----------|---|---|------------|-----------|
| Adjutant General (141-49) | Military Justice \$12.10 Legislative Exempt | | | | | | | 11/3/2010 | 11/3/2010 |
| Administration (148-3) | State Owned Vehicles \$4.80 Legislative | 6/25/2010 | 7/25/2010 | 6/25/2010 Effective 8/6/2010 | 7/26/2010 | Modified with Certain Amendments & Approved 1/10/2011 Filed 1/21/2011 | SB 286 HB 2896 Bundled SB 112 | | |
| Agriculture (61-2) | West Virginia Apiary Law of 1991 \$4.40 Legislative | 6/1/2010 | 7/1/2010 | 6/1/2010 Approved 7/8/2010 | 7/26/2010 | Modified & Approved 9/13/2010 Filed 9/21/2010 | SB 102 HB 2605 Bundled HB 2639 | | |
| Agriculture (61-6C) | General Groundwater Protection Rules for Fertilizers and Manures \$4.60 Legislative | 6/1/2010 | 7/1/2010 | | 7/12/2010 | Approved 7/21/2010 | SB 104 HB 2569 Bundled HB 2639 | | |
| Agriculture (61-16) | Inspection of Meat and Poultry \$4.80 Legislative | 6/14/2010 | 7/14/2010 | | 7/20/2010 | Approved 8/10/2010 | SB 103 HB 2568 Bundled HB 2639 | | |
| Air Quality (45-8) | Ambient Air Quality Standards \$16.90 Legislative | 6/9/2010 | 7/12/2010 | | 7/28/2010 | Approved 1/9/2011 | SB 114 HB 2580 Bundled SB 121 | | |
| Air Quality (45-14) | Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution for the Prevention of Significant Deterioration \$11.60 Legislative | 6/9/2010 | 7/12/2010 | | 7/28/2010 | Modified & Approved 1/10/2011 Filed 1/11/2011 | SB 289 HB 2899 Bundled SB 121 | | |
| Air Quality (45-16) | Standards of Performance for New Stationary Sources \$13.70 Legislative | 6/9/2010 | 7/12/2010 | | 7/28/2010 | Approved 1/9/2011 | SB 115 HB 2576 Bundled SB 121 | | |
| Air Quality (45-18) | Control of Air Pollution from Combustion of Solid Waste \$9.80 Legislative | 6/9/2010 | 7/12/2010 | | 7/28/2010 | Modified & Approved 1/9/2011 Filed 1/11/2011 | SB 290 HB 2900 Bundled SB 121 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|-------------------------|-------------------------|---|-------------------------|--|---|------------|-----------|
| Air Quality (45-19) | Permits for Construction and Major Modification of Major Stationary Sources of Air Pollution Which Cause or Contribute to Nonattainment \$14.30 Legislative | 6/9/2010 | 7/12/2010 | | 7/28/2010 | Approved 1/9/2011 | SB 117 HB 2577 Bundled SB 121 | | |
| Air Quality (45-25) | Control of Air Pollution from Hazardous Waste Treatment, Storage and Disposal Facilities \$14.40 Legislative | 6/9/2010 | 7/12/2010 | | 7/28/2010 | Approved 1/9/2011 | SB 118 HB 2578 Bundled SB 121 | | |
| Air Quality (45-30) | Requirements for Operating Permits \$13.70 Legislative | 1/11/2011 | 2/14/2011 | 12/21/2010 Effective 2/1/2011 | 3/16/2011 | | | | |
| Air Quality (45-34) | Emission Standards for Hazardous Air Pollutants \$21.70 Legislative | 6/9/2010 | 7/12/2010 | | 7/28/2010 | Approved 1/9/2011 | SB 119 HB 2579 Bundled SB 121 | | |
| Alcohol Beverage Control Comm. (175-1) | Licensed Retailer Operations \$6.00 Legislative | 9/14/2009 | 10/15/2009 | 8/31/2009 Approved 10/8/2009 | 11/20/2009 | Modified & Approved 1/9/2011 Filed 1/20/2011 | SB 287 HB 2897 Bundled SB 177 | | |
| Alcohol Beverage Control Comm. (175-5) | Licensing of Retail Outlets \$12.80 Legislative | 9/14/2009 12/10/2009 | 10/15/2009 1/12/2010 | 8/31/2009 Approved 10/8/2009 Amendment 12/10/2009 Approved 12/14/2009 | 11/20/2009 2/22/2010 | Modified & Approved 1/9/2011 Filed 1/19/2011 | SB 288 HB 2898 Bundled SB 177 | | |
| Barbers & Cosmetologists (3-1) | Procedures, Criteria and Curricula for Examination and Licensure of Barbers, Cosmetologists, Manicurists and Aestheticians \$6.00 Legislative | 6/18/2010 | 7/22/2010 | | 7/30/2010 | Modified & Approved 10/11/2010 Filed 10/18/2010 | SB 105 HB 2606 Bundled HB 2639 | | |
| Barbers & Cosmetologists (3-2) | Qualification Training, Examination of Licensure of Instructors \$4.00 Legislative | 6/18/2010 | 7/22/2010 | | 7/30/2010 | Modified & Approved 10/11/2010 Filed 10/18/2010 | SB 106 HB 2607 Bundled HB 2639 | | |
| Barbers & Cosmetologists (3-4) | Operational Standards for Schools of Barbering and Beauty Culture \$3.80 Legislative | 6/18/2010 | 7/22/2010 | | 7/30/2010 | Modified & Approved 10/11/2010 Filed 10/18/2010 | SB 107 HB 2608 Bundled HB 2639 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|--|---|------------|------------|--|-----------|--|---|------------|------------|
| Barbers & Cosmetologists (3-6) | Schedule of Fees \$2.40 Legislative | 5/10/2010 | 6/11/2010 | 4/27/2010 Withdrawn 5/10/2010 5/7/2010 Approved 5/14/2010 | 6/18/2010 | Approved 10/11/2010 Filed 10/18/2010 | SB 108 HB 2570 Bundled HB 2639 | | |
| Coal Mine Health and Safety (36-44) | Mine Rescue Requirements for the Office of Miners' Health, Safety and Training \$3.00 Legislative | 4/22/2010 | 5/28/2010 | | | | | 11/30/2010 | 12/30/2010 |
| Community & Technical College Ed. (135-23) | Standards and Procedures for Undergraduate Admissions at Comm. & Tech. Colleges \$3.60 Procedural | 10/29/2010 | 11/29/2010 | | | | | | |
| Consolidated Public Retirement Board (162-1) | General Provisions \$4.60 Legislative | 5/7/2010 | 6/7/2010 | | 7/22/2010 | Approved 8/10/2010 | SB 109 HB 2571 Bundled SB 112 | | |
| Consolidated Public Retirement Board (162-3) | Teachers' Defined Contribution System \$5.00 Legislative | 5/7/2010 | 6/7/2010 | | 7/22/2010 | Approved 8/10/2010 | SB 110 HB 2572 Bundled SB 112 | | |
| Consolidated Public Retirement Board (162-5) | Public Employees Retirement System \$5.80 Legislative | 5/7/2010 | 6/7/2010 | 4/13/2010 Effective 5/25/2010 | 7/22/2010 | Approved 8/10/2010 | SB 111 HB 2573 Bundled SB 112 | | |
| Consolidated Public Retirement Board (162-7) | Refund, Reinstatement, Retroactive Service, Loan and Employer Error Interest Factors \$5.40 Legislative | 5/7/2010 | 6/7/2010 | | 7/22/2010 | Approved 8/10/2010 | SB 112 HB 2574 Bundled SB 112 | | |
| Consolidated Public Retirement Board (162-9) | West Virginia State Police \$5.40 Legislative | 5/7/2010 | 6/7/2010 | 4/13/2010 Effective 5/25/2010 | 7/22/2010 | Approved 8/10/2010 | SB 113 HB 2575 Bundled SB 112 | | |
| Crime, Delinquency and Correction (149-2) | Law Enforcement Training Standard \$8.20 Legislative | 6/7/2010 | 7/15/2010 | | 7/23/2010 | Modified & Approved 10/11/2010 Filed 10/13/2010 | SB 124 HB 2614 Bundled HB 2613 | | |
| Crime, Delinquency and Correction (149-3) | Protocol for Law Enforcement Response to Domestic Violence \$12.10 Legislative | 6/23/2010 | 7/24/2010 | | 7/27/2010 | Modified & Approved 11/16/2010 | SB 125 HB 2613 Bundled HB 2613 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|-------------------------------|---|------------|-----------|-----------|-----------|---|--|------------|-----------|
| Ethics Commission (158-20) | Forms \$3.00 Legislative | 4/13/2010 | 5/14/2010 | | 6/24/2010 | Modified & Approved 8/10/2010 Filed 8/20/2010 | SB 123 HB 2612 Bundled SB 112 | | |
| Health (64-1) | Rules of Procedure for Contested Case Hearings and Declaratory Rulings \$5.40 Procedural | 6/24/2010 | 7/26/2010 | | | | | 12/30/2010 | 1/30/2011 |
| Health (64-3) | Public Water Systems \$5.20 Legislative | 6/23/2010 | 7/23/2010 | | 7/29/2010 | Approved 11/16/2010 | SB 129 HB 2583 Bundled SB 295 | | |
| Health (64-29) | Specialized Multipatient Medical Transport \$5.60 Legislative | 6/29/2010 | 7/29/2010 | | 7/30/2010 | Approved 1/10/2011 | SB 128 HB 2582 Bundled SB 295 | | |
| Health (64-43) | Food Manufacturing Facilities \$3.00 Legislative | 6/10/2010 | 7/12/2010 | | 7/29/2010 | Modified & Approved 11/16/2010 Filed 1/3/2011 | SB 130 HB 2617 Bundled SB 295 | | |
| Health (64-44) | Fire Department Rapid Response Services Licensure \$4.00 Legislative | 6/29/2010 | 7/29/2010 | | 7/30/2010 | Approved 1/10/2011 | SB 131 HB 2584 Bundled SB 295 | | |
| Health (64-48) | Emergency Medical Services \$13.80 Legislative | 6/29/2010 | 7/29/2010 | | 7/30/2010 | Modified & Approved 1/10/2011 Filed 1/24/2011 | SB 294 HB 2904 Bundled SB 295 | | |
| Health (64-68) | Cancer Registry \$4.20 Legislative | 6/23/2010 | 7/23/2010 | | 7/29/2010 | Approved 10/11/2010 | SB 132 HB 2585 Bundled SB 295 | | |
| Health (64-95) | Immunization Requirements and Recommendations for New School Enterers \$8.20 Interpretive | 12/23/2010 | 1/24/2011 | | | | | 2/10/2011 | 3/12/2011 |
| Health (64-97) | Maternal Risk Screening \$2.60 Legislative | 6/23/2010 | 7/23/2010 | | 7/29/2010 | Modified & Approved 10/11/2010 Filed 1/3/2011 | SB 133 HB 2618 Bundled SB 295 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|--|--|-----------|-----------|------------------------------------|-----------|--|---|------------|-----------|
| Health (64-98) | Safety and Treatment Program \$3.20 Legislative | 6/30/2010 | 7/30/2010 | 6/30/2010 Approved 8/11/2010 | 7/30/2010 | Modified & Approved 11/16/2010 Filed 12/3/2010 | SB 295 Bundled SB 295 HB 2905 | | |
| Health (64-99) | Requirement for Licensure of Nonprofit Corporations for Conservation Service \$4.80 Legislative | 6/30/2010 | 7/30/2010 | 6/30/2010 Approved 8/11/2010 | 7/30/2010 | Modified & Approved 11/16/2010 Filed 12/3/2010 | SB 126 HB 2615 Bundled SB 295 | | |
| Health Care Authority (65-7) | Certificate of Need Rule \$7.20 Legislative | 6/15/2010 | 7/16/2010 | | 7/28/2010 | Modified & Approved 11/16/2010 Filed 12/8/2010 | SB 127 HB 2616 Bundled SB 295 | | |
| Higher Education Policy Comm. (133-20) | Authorization of Degree Granting Institutions \$11.60 Legislative Exempt | 10/6/2010 | 11/5/2010 | | 12/8/2010 | Approved 12/13/2010 | SB 514 | | |
| Highways (157-6) | Use of State Road Rights of Way and Adjacent Areas \$9.80 Legislative | 6/7/2010 | 7/7/2010 | 6/7/2010 Approved 7/8/2010 | 7/16/2010 | Modified & Approved 11/17/2010 Approved 1/9/2011 | SB 135 HB 2586 Bundled HB 2586 | | |
| Highways (157-7) | Transportation of Hazardous Wastes Upon the Roads and Highways \$4.60 Legislative | 6/15/2010 | 7/15/2010 | | 7/16/2010 | Approved 12/14/2010 | SB 136 HB 2587 Bundled HB 2586 | | |
| Highways (157-10) | Community Empowerment Transportation Act Program \$4.60 Legislative | 6/25/2010 | 7/26/2010 | | 7/27/2010 | Modified & Approved 11/17/2010 | SB 134 HB 2619 Bundled HB 2586 | | |
| Insurance Commission (114-6) | Credit Life Insurance, Credit Accident and Sickness Insurance, and Credit Unemployment Insurance \$5.40 Legislative | 6/15/2010 | 7/15/2010 | | 7/27/2010 | Modified & Approved 9/13/2010 Filed 9/28/2010 | SB 142 HB 2623 Bundled SB 177 | | |
| Insurance Commission (114-11B) | Suitability in Annuity Transactions \$7.40 Legislative | 6/15/2010 | 7/15/2010 | | 7/29/2010 | Approved 9/13/2010 | SB 137 HB 2588 Bundled SB 177 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|-----------------------------------|---|-----------|-----------|-------------------------------------|-----------|---|--|------------|-----------|
| Insurance Commission (114-25) | Insurance Adjusters \$6.40 Legislative | 6/15/2010 | 7/15/2010 | 6/15/2010 Withdrawn 7/15/2010 | 7/27/2010 | Modified & Approved 10/11/2010 Filed 10/20/2010 | SB 138 HB 2620 Bundled SB 177 | | |
| Insurance Commission (114-32) | Long-Term Care Insurance \$15.40 Legislative | 6/11/2010 | 7/12/2010 | | 7/29/2010 | Modified & Approved 9/13/2010 Filed 9/28/2010 | SB 139 HB 2621 Bundled SB 177 | | |
| Insurance Commission (114-41) | Actuarial Opinion and Memorandum Rule \$7.20 Legislative | 6/11/2010 | 7/12/2010 | | 7/27/2010 | Approved 9/13/2010 | SB 140 HB 2589 Bundled SB 177 | | |
| Insurance Commission (114-41A) | Property and Casualty Actuarial Opinion \$3.00 Legislative | 6/15/2010 | 7/15/2010 | 9/1/2010 Effective 10/13/2010 | 7/27/2010 | Modified & Approved 11/16/2010 Filed 12/1/2010 | SB 141 HB 2622 Bundled SB 177 | | |
| Insurance Commission (114-61) | Credit Personal Property \$6.00 Legislative | 6/15/2010 | 7/15/2010 | | 7/27/2010 | Approved 9/13/2010 | SB 143 Bundled SB 177 HB 2590 | | |
| Insurance Commission (114-65) | Self-Insurance Pools for Political Subdivisions \$5.20 Legislative | 6/18/2010 | 7/18/2010 | | 7/27/2010 | Modified & Approved 11/16/2010 Filed 12/1/2010 | SB 144 HB 2624 Bundled SB 177 | | |
| Insurance Commission (114-68) | Valuation of Life Insurance Companies \$7.80 Legislative | 6/11/2010 | 7/12/2010 | | 7/27/2010 | Approved 10/11/2010 | SB 145 HB 2591 Bundled SB 177 | | |
| Insurance Commission (114-69A) | Recognition of Preferred Mortality Tables for Use in Determining Minimum Reserve Liabilities \$5.20 Legislative | 6/11/2010 | 7/12/2010 | | 7/27/2010 | Approved 10/11/2010 | SB 146 HB 2592 Bundled SB 177 | | |
| Insurance Commission (114-85) | Professional Employer Organizations \$5.60 Legislative | 6/11/2010 | 7/12/2010 | 6/11/2010 Effective 7/23/2010 | 7/27/2010 | Approved 10/11/2010 | SB 147 HB 2593 Bundled SB 177 | | |
| Insurance Commission (114-91) | Health Maintenance Organization Point of Service Option \$6.60 Legislative | 6/11/2010 | 7/12/2010 | | 7/27/2010 | Approved 11/16/2010 | SB 148 HB 2594 Bundled SB 177 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|--|--|-------------------------|------------------------|--------------------------------------|-----------------------|---|---|------------|------------|
| Labor (42-21) | Elevator Safety Act \$4.20 Legislative | 6/29/2010 | 7/29/2010 | | 7/30/2010 | Modified & Approved 9/13/2010 Filed 9/23/2010 | SB 149 HB 2625 Bundled HB 2626 | | |
| Labor (42-21A) | Supervision of Elevator Mechanics and Apprentices \$4.00 Legislative | 6/29/2010 | 7/29/2010 | | 7/30/2010 | Modified & Approved 9/13/2010 Filed 9/23/2010 | SB 150 HB 2626 Bundled HB 2626 | | |
| Labor (42-24) | Crane Operator Certification Act \$4.80 Legislative | 6/16/2010 | 7/16/2010 | | 7/23/2010 | Modified & Approved 9/13/2010 Filed 9/23/2010 | SB 151 HB 2627 Bundled HB 2626 | | |
| Labor (42-25) | Crane Operator Certification Act – Practical Examination \$3.00 Legislative | 6/16/2010 | 7/16/2010 | | 7/23/2010 | Modified & Approved 9/13/2010 Filed 9/23/2010 | SB 152 HB 2628 Bundled HB 2626 | | |
| Mines Training Education & Certification (48-4) | Initial Training Program for Prospective Mine Rescue Team Members and Additional Mine Rescue Requirements \$3.60 Legislative Exempt | | | | | | | 11/30/2010 | 12/30/2010 |
| Mining & Reclamation (38-2) | West Virginia Surface Mining Reclamation Rule \$31.50 Legislative | 12/16/2009 6/10/2010 | 1/18/2010 7/13/2010 | 12/16/2009 Approved 12/23/2009 | 2/1/2010 7/30/2010 | Modified with Certain Amendments & Approved 1/10/2011 Filed 1/18/2011 | SB 292 HB 2902 Bundled SB 121 | | |
| Motor Vehicles (91-12) | Motor Vehicle Inspection Manual \$33.50 Legislative | 6/18/2010 | 7/19/2010 | | 7/26/2010 | Approved 11/15/2010 | SB 153 HB 2647 Bundled HB 2586 | | |
| Motor Vehicles (91-19) | Approval of Motor Vehicle Accident Prevention Courses \$3.80 Interpretive | 12/28/2010 | 2/1/2011 | | | | | | |
| Natural Resources (58-27) | Special Motorboating Regulations \$2.60 Legislative | 5/4/2010 | 6/6/2010 | 4/13/2010 Effective 5/27/2010 | 6/29/2010 | Modified & Approved 7/21/2010 Filed 7/28/2010 | SB 154 HB 2629 Bundled HB 2626 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|---|-----------|-----------|-----------|-----------|---|---|------------|-----------|
| Natural Resources (58-47) | Prohibitions When Hunting and Trapping \$4.00 Legislative | 6/15/2010 | 7/16/2010 | | 7/22/2010 | Approved 8/10/2010 | SB 155 HB 2595 Bundled HB 2626 | | |
| Natural Resources (58-49) | General Hunting \$4.00 Legislative | 6/15/2010 | 7/16/2010 | | 7/22/2010 | Approved 8/10/2010 | SB 156 HB 2596 Bundled HB 2626 | | |
| Natural Resources (58-60) | Fishing Regulations \$7.20 Legislative Exempt | | | | | | | 12/22/2010 | 1/1/2011 |
| Nursing Home Administrators Licensing Bd. (21-1) | Nursing Home Administrators \$5.80 Legislative | 2/14/2011 | 3/16/2011 | | | | | | |
| Optometry (14-1) | Rules of the WV Bd. of Optometry \$3.60 Legislative | 6/25/2010 | 7/26/2010 | | 7/30/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 157 HB 2630 Bundled HB 2639 | | |
| Optometry (14-2) | Expanded Prescriptive Authority \$3.00 Legislative | 6/25/2010 | 7/26/2010 | | 7/30/2010 | Filed 1/3/2011 | SB 296 HB 2906 Bundled HB 2639 | | |
| Optometry (14-3) | Contested Case Hearing Procedure \$3.00 Procedural | 6/25/2010 | 7/26/2010 | | 7/30/2010 | 1/4/2011 LRMRC requested withdrawl as Leg. rule. To be final filed as prodecural | | 1/4/2011 | 2/5/2011 |
| Optometry (14-4) | Disciplinary and Complaint Procedures for Optometrists \$3.20 Procedural | 6/25/2010 | 7/26/2010 | | 7/30/2010 | 1/4/2011 LRMRC requested withdrawl as Leg. rule. To be final filed as prodecural | | 1/4/2011 | 2/5/2011 |
| Optometry (14-5) | Schedule of Fees \$2.60 Legislative | 6/25/2010 | 7/26/2010 | | 7/30/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 159 HB 2632 Bundled HB 2639 | | |
| Optometry (14-6) | Examination and Scoring Policy \$2.60 Legislative | 6/25/2010 | 7/26/2010 | | 7/30/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 160 HB 2633 Bundled HB 2639 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|----------------------|--|-----------|-----------|--|-----------|---|---|------------|-----------|
| Optometry (14-8) | Licensure by Endorsement \$2.60 Legislative | 6/25/2010 | 7/26/2010 | | 7/30/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 161 HB 2634 Bundled HB 2639 | | |
| Optometry (14-9) | Contact Lenses that Contain and Deliver Pharmaceutical Agents Certificate \$2.40 Legislative | 6/25/2010 | 7/26/2010 | | 7/30/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 162 HB 2635 Bundled HB 2639 | | |
| Optometry (14-10) | Continuing Education \$2.80 Legislative | 6/25/2010 | 7/26/2010 | | 7/30/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 158 HB 2631 Bundled HB 2639 | | |
| Optometry (14-11) | Injectable Pharmaceutical Agents Certificate \$3.20 Legislative | 6/24/2010 | 7/23/2010 | | 7/30/2010 | Modified with certain amendments and approved 12/14/2010 Filed 12/23/2010 | SB 297 HB 2907 Bundled HB 2639 | | |
| Osteopathy (24-2) | Osteopathic Physician Assistants \$5.00 Legislative | 6/14/2010 | 7/14/2010 | 6/14/2010 Approved 7/8/2010 Amendment 11/10/2010 Approved 11/17/2010 | 7/30/2010 | Modified & Approved 11/16/2010 Filed 11/29/2010 | SB 163 HB 2636 Bundled HB 2639 | | |
| Osteopathy (24-5) | Fees for Services Rendered by the Bd. of Osteopathy \$2.60 Legislative | 6/14/2010 | 7/14/2010 | | 7/28/2010 | Modified & Approved 11/16/2010 Filed 11/29/2010 | SB 164 HB 2637 Bundled HB 2639 | | |
| Pharmacy (15-1) | Board of Pharmacy Rules Regarding Licensure and the Practice of Pharmacy \$13.80 Legislative | 6/17/2010 | 7/18/2010 | | 7/29/2010 | Approved 11/16/2010 | SB 165 HB 2597 Bundled HB 2639 | | |
| Pharmacy (15-8) | Controlled Substances Monitoring \$6.40 Legislative | 6/17/2010 | 7/18/2010 | | 7/29/2010 | Approved 11/16/2010 | SB 166 HB 2598 Bundled HB 2639 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|--|--|------------|------------|--|-----------|---|---|------------|-----------|
| Physical Therapy (16-1) | Supervision of a Physical Therapist Assistant \$13.80 Legislative | 6/29/2010 | 7/29/2010 | 6/29/2010 Approved Section 8 only 7/14/2010 Amendment 11/5/2010 Approved Section 8 only 11/16/2010 | 7/30/2010 | Modified & Approved 12/14/2010 Filed 12/21/2010 | SB 167 HB 2638 Bundled HB 2639 | | |
| Physical Therapy (16-4) | Fees for Physical Therapist and Physical Therapist Assistant \$3.80 Legislative | 6/29/2010 | 7/29/2010 | | 7/30/2010 | Approved 12/14/2010 | SB 168 HB 2599 Bundled HB 2639 | | |
| Physical Therapy (16-5) | General Provisions for Athletic Trainers \$2.80 Legislative | 6/29/2010 | 7/29/2010 | | 7/30/2010 | Modified & Approved 9/13/2010 Filed 9/20/2010 | SB 169 HB 2639 Bundled HB 2639 | | |
| Physical Therapy (16-6) | Fees for Athletic Trainers \$2.40 Legislative | 6/29/2010 | 7/29/2010 | | 7/30/2010 | Modified & Approved 9/13/2010 Filed 9/20/2010 | SB 170 HB 2640 Bundled HB 2639 | | |
| Public Service Commission (150-3) | Rules and Regulations for the Government of Electric Utilities \$13.40 Legislative Exempt | 3/22/2011 | 4/21/2011 | | | | | | |
| Public Service Commission (150-5) | Rules for the Government of Sewer Utilities \$27.00 Legislative Exempt | 8/15/2008 | 10/31/2008 | | | | | 3/9/2011 | 5/8/2011 |
| Public Service Commission (150-7) | Rules for the Government of Water Utilities \$30.70 Legislative Exempt | 8/15/2008 | 10/31/2008 | | | | | 3/9/2011 | 5/8/2011 |
| Public Service Commission (150-33) | Rules Governing Electric Utility Net Metering Arrangements and Interconnections \$14.30 Exempt Legislative | 12/27/2010 | 1/26/2011 | | | | | | |
| Public Service Commission (150-35) | Rules Governing Innovative, Alternative Sewer Systems \$5.60 Legislative Exempt | 2/9/2011 | 3/15/2011 | | | | | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|---|--|------------|-----------|-------------------------------------|------------|---|---|------------|-----------|
| Racing Commission (178-1) | Thoroughbred Racing \$21.40 Legislative | 6/7/2010 | 7/8/2010 | | 7/27/2010 | Modified & Approved 1/10/2011 Filed 1/20/2011 | SB 298 HB 2908 Bundled SB 177 | | |
| Racing Commission (178-2) | Greyhound Racing \$12.30 Legislative | 6/29/2010 | 7/29/2010 | | 7/30/2010 | Modified & Approved 1/10/2011 Filed 1/20/2011 | SB 299 HB 2909 Bundled SB 177 | | |
| Racing Commission (178-5) | Pari-Mutuel Wagering \$14.70 Legislative | 6/7/2010 | 7/8/2010 | | 7/16/2010 | Modified & Approved 1/10/2011 Filed 1/20/2011 | SB 300 HB 2910 Bundled SB 177 | | |
| Racing Commission (178-6) | Due Process and Hearings \$5.20 Procedural | 1/21/2011 | 2/22/2011 | | | | | | |
| Risk & Insurance Management (115-8) | Administrative Appeal Hearing Rules for the Patient Injury Compensation Fund \$2.80 Procedural | 1/11/2011 | 2/11/2011 | | | | | 3/14/2011 | 4/14/2011 |
| Sanitarians, Bd. Of Reg. for (20-1) | Rules of Procedure for Contested Case Hearings and Declaratory Rulings \$4.00 Procedural | 12/28/2010 | 1/28/2011 | | | | | | |
| Sanitarians, Bd. Of Reg. for (20-2) | Procedure for the Investigation and Resolution of Complaints \$3.80 Procedural | 12/28/2010 | 1/28/2011 | | | | | | |
| Sanitarians, Bd. Of Reg. for (20-3) | Interim Fee Schedule \$3.60 Legislative | 6/17/2010 | 7/19/2010 | 5/18/2010 Effective 6/29/2010 | 7/29/2010 | Approved 11/16/2010 | SB 171 HB 2600 Bundled HB 2639 | | |
| Sanitarians, Bd. of Ref. for (20-4) | Rules Governing the Practice of Public Health Sanitation \$4.60 Legislative | 6/23/2010 | 7/23/2010 | | 7/29/2010 | Approved 11/16/2010 | SB 172 HB 2601 Bundled HB 2639 | | |
| Secretary of State (153-25) | Combined Voter Registration and Driver Licensing Fund \$4.60 Legislative | 10/8/2010 | 11/8/2010 | | 11/12/2010 | Approved 1/9/2011 | SB 173 HB 2602 Bundled HB 2639 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|--------------------------------------|--|------------|-----------|------------------------------------|-----------|---|---|------------|-----------|
| State Election Commission (146-5) | WV Supreme Court of Appeals Public Campaign Financing Pilot Program \$6.20 Legislative | 6/18/2010 | 7/19/2010 | | 7/29/2010 | Modified & Approved 1/9/2011 Filed 1/14/2011 | SB 293 HB 2903 Bundled HB 2639 | | |
| State Rail Authority (172-2) | Valuation of Used Rolling Stock and Equipment \$3.60 Legislative | 3/31/2010 | 4/30/2010 | | 5/13/2010 | Approved 8/10/2010 | SB 174 HB 2603 Bundled HB 2586 | | |
| Tax Department (110-10D) | Use and Acceptance of Electronic Records \$5.40 Procedural | 12/29/2010 | 1/31/2011 | | | | | | |
| Tax Department (110-10F) | Payment of Taxes by Electronic Funds Transfer \$6.80 Legislative | 1/26/2011 | 2/24/2011 | 12/29/2010 Approved 2/8/2011 | | | | | |
| Tax Department (110-13Q) | Commercial Patent Incentives Tax Credit \$4.40 Legislative | 6/14/2010 | 7/15/2010 | | 7/28/2010 | Modified & Approved 10/11/2010 Filed 11/5/2010 | SB 175 HB 2641 Bundled SB 177 | | |
| Tax Department (110-50E) | Exchange of Information Agreement Between the State Tax Department and the WV Lottery \$3.60 Legislative | 6/3/2010 | 7/6/2010 | | 7/26/2010 | Approved 10/11/2010 | SB 176 HB 2604 Bundled SB 177 | | |
| Tax Department (110-50F) | Exchange of Information Agreement Between the State Tax Department and the State Fire Marshal \$2.40 Legislative | 6/3/2010 | 7/6/2010 | | 7/26/2010 | Modified & Approved 10/11/2010 Filed 11/5/2010 | SB 177 HB 2642 Bundled SB 177 | | |
| Treasurer's Office (112-3) | Establishment of Imprest Funds \$2.80 Legislative | 5/26/2010 | 6/28/2010 | | 6/30/2010 | Modified & Approved 7/21/2010 Filed 7/30/2010 | SB 301 HB 2911 Bundled HB 2639 | | |
| Veterinary Medicine (26-1) | Organization and Operation and Licensing of Veterinarians \$5.60 Legislative | 6/25/2010 | 7/26/2010 | | 7/27/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 178 HB 2643 Bundled HB 2639 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|-------------------------------|--|-------------------------------------|-----------------------|------------------------------------|-----------------------|--|---|------------|-----------|
| Veterinary Medicine (26-3) | Registration of Veterinary Technicians \$4.20 Legislative | 6/25/2010 | 7/26/2010 | | 7/27/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 179 HB 2644 Bundled HB 2639 | | |
| Veterinary Medicine (26-4) | Standards of Practice \$5.80 Legislative | 6/25/2010 | 7/26/2010 | | 7/27/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 180 HB 2645 Bundled HB 2639 | | |
| Veterinary Medicine (26-5) | Certified Animal Euthanasia Technicians \$4.60 Legislative | 6/25/2010 | 7/26/2010 | 6/25/2010 Effective 8/6/2010 | 7/27/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 181 HB 2646 Bundled HB 2639 | | |
| Veterinary Medicine (26-6) | Schedule of Fees \$2.80 Legislative | 6/25/2010 | 7/26/2010 | | 7/27/2010 | Modified & Approved 11/16/2010 Filed 11/24/2010 | SB 182 HB 2566 Bundled HB 2639 | | |
| Waste Management (33-20) | Hazardous Waste Management Rule \$7.00 Legislative | 6/14/2010 | 7/15/2010 | | 7/30/2010 | Modified & Approved 9/13/2010 9/21/2010 | SB 116 HB 2609 Bundled SB 121 | | |
| Water Resources (47-2) | Requirements Governing Water Quality Standards \$12.80 Legislative | 3/3/2010 6/4/2010 | 4/1/2010 7/19/2010 | 3/3/2010 Approved 3/5/2010 | 6/4/2010 7/30/2010 | Approved 1/10/2011 | SB 122 HB 2581 Bundled SB 121 | | |
| Water Resources (47-10) | National Pollutant Discharge Elimination System (NPDES) System \$13.90 Legislative | Called up by 2011 Legislature | | | | | Bundled SB 121 | | |
| Water Resources (47-12) | Requirements Governing Groundwater Standards \$3.20 Legislative | 6/11/2010 | 7/15/2010 | | 7/23/2010 | Modified & Approved 9/13/2010 Filed 9/14/2010 | SB 121 HB 2611 Bundled SB 121 | | |
| Water Resources (47-60) | Monitoring Well Design Standards \$8.40 Legislative | 6/15/2010 | 7/15/2010 | | 7/26/2010 | Modified & Approved 9/13/2010 Filed 9/22/2010 | SB 120 HB 2610 Bundled SB 121 | | |

RULE MONITOR

| AGENCY/SERIES NO | RULE | NOTICE | HEARING | EMER RULE | SEC/STATE | LRMRC-ACTION | LEGIS | FINAL FILE | EFFECTIVE |
|--------------------------------------|---|----------|----------|--|-----------|---|---|------------|-----------|
| WorkForce West Virginia (96-3) | Employer Violator System \$3.60 Legislative | 8/5/2009 | 9/7/2009 | 7/31/2009 Approved 8/24/2009 Amendment 9/28/2010 ERD by 11/9/2010 Expired 10/31/2010 | 9/24/2009 | Modified & Approved 10/11/2010 Filed 10/18/2010 | SB 183 HB 2567 Bundled HB 2626 | | |

Form #2

[illegible]

NOTICE OF A COMMENT PERIOD ON A PROPOSED RULE

TITLE OF RULE BEING PROPOSED: _____

Michael A. Roberts
Authorized Signature

Orders Report

| Docket Number | Agency | Respondent | Decision Date |
|----------------------|-----------------------|----------------------------------|----------------------|
| 10-3-9311-H | Health Care Authority | Time Frame Order | 3/14/2011 |
| 11-4-9377-x | Health Care Authority | Webster County Memorial Hospital | 3/18/2011 |
| 10-3-9240-X | Health Care Authority | Associated Foot and Ankle Clinic | 3/18/2011 |
| 11-5-9380-X | Health Care Authority | Westbrook Health Services | 3/18/2011 |

Judy Cooper

From: Lee, Stephen P <Stephen.P.Lee@wv.gov>
Sent: Tuesday, March 15, 2011 1:51 PM
To: Judy Cooper
Cc: Pollack, A M Fenway; Lawson, Kathy M; Buffington, Pamela E; Bartlett, Linda J
Subject: Publication in State Register of WV Office of Tax Appeals' Redacted Decisions for immediately preceding month--as required by statute (For 02/2011)

Dear Ms. Cooper:

To advise, the Office of Tax Appeals issued no decisions requiring redaction or posting for the month of February, 2011. Please feel free to contact me with any questions.

Thanks and Regards,

Stephen P. Lee
Executive Director
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**WEST VIRGINIA HEALTH CARE AUTHORITY
CERTIFICATE OF NEED
100 Dee Drive
Charleston, West Virginia 25311-1600**

March 21, 2011

LEGAL NOTICE

James L. Pitolo, Jr., Chairman, West Virginia Health Care Authority, announces the following Certificate of Need activities for the week ending March 18, 2011.

LETTERS OF INTENT FOR EXPEDITED REVIEW RECEIVED

March 16, 2011 – HEALTHSOUTH MountainView Regional Rehabilitation Hospital, Morgantown, Monongalia County, CON File #11-6-9391-B, for the relocation of 16 beds to a satellite unit at United Hospital Center; capital expenditure: \$950,000.

March 18, 2011 – Hospice Care Corporation, Arthurdale, Preston County, CON File #11-6-9392-Y, for the development of a hospice inpatient unit in Reedsville, Preston County; capital expenditure: \$2,000,000.

PROJECTS DETERMINED NOT REVIEWABLE

March 18, 2011 – Associated Foot and Ankle Clinic, Charleston, Kanawha County, CON File #10-3-9240-X, for the development of a surgical suite for podiatric procedures; capital expenditure: \$40,000.

March 18, 2011 – Webster County Memorial Hospital, Webster Springs, Webster County, CON File #11-4-9377-X, for the addition of nuclear stress testing to its Respiratory Therapy Department; \$5,000.

March 18, 2011 – Westbrook Health Services, Parkersburg, Wood County, CON File #11-5-9380-X, for two additional sites to be located at 910 Virginia Avenue and 3313 Emerson Avenue, both of Parkersburg, Wood County; capital expenditure: less than \$50,000.

HEARING NOTICE

The Administrative Hearing and Prehearing Conference have been SCHEDULED in the following matter:

March 14, 2011 – Thomas Memorial Hospital, South Charleston, Kanawha County, CON File #10-3-9311-H, for the development of therapeutic cardiac catheterization; no capital expenditure.

Prehearing Conference
Administrative Hearing

Friday, May 6, 2011 at 1:30 p.m.
Thursday, May 12, 2011 at 9:00 a.m.

The prehearing conference and administrative hearing in the above-referenced matter will be held in the offices of the Health Care Authority, 100 Dee Drive, Charleston, West Virginia 25311-1600, unless otherwise noted.

TIME FRAME ORDER ISSUED

March 14, 2011 – Thomas Memorial Hospital, South Charleston, Kanawha County, CON File #10-3-9311-H, for the development of therapeutic cardiac catheterization; no capital expenditure.

LETTER OF INTENT EXPIRED

Certificate of Need Regulation § 11-3, (C.S.R. § 65-7-11.3) states, in part, that letters of intent shall be effective for one year. The following represents a letter of intent that has expired:

March 15, 2011 – PPPFD, Inc, ADFT Pain Centers, Inc. d/b/a Appalachian Pain Management Institute, Shady Spring, Raleigh County, CON File #10-3-9154-P, for the purchase of Appalachian Pain Therapy Institute located at 4407 MacCorkle Avenue SE, Charleston, Kanawha County; capital expenditure: \$240,000.

Further information may be obtained on any of the above-referenced projects by contacting Timothy E. Adkins, Director, Certificate of Need Division.

primary legal notice March 21, 2011

THE FOLLOWING ARE PUBLICATION DATES OF THE STATE REGISTER FOR 2011

DATES ARE THE DATES ALL FILINGS ARE TO BE RECEIVED IN THE SECRETARY OF STATE'S OFFICE IN ORDER FOR THE MATERIAL TO APPEAR IN THE STATE REGISTER PUBLISHED ON THE DATE LISTED.

| <u>Deadline Date</u> | <u>Publication Date</u> | <u>Meeting may be held on or after</u> | <u>Deadline Date</u> | <u>Publication Date</u> | <u>Meeting may be held on or after</u> |
|----------------------|-------------------------|--|----------------------|-------------------------|--|
| January 5, 2011 | January 7, 2011 | January 12, 2011 | July 6, 2011 | July 8, 2011 | July 13, 2011 |
| January 12, 2011 | January 14, 2011 | January 19, 2011 | July 13, 2011 | July 15, 2011 | July 20, 2011 |
| January 19, 2011 | January 21, 2011 | January 26, 2011 | July 20, 2011 | July 22, 2011 | July 27, 2011 |
| January 26, 2011 | January 28, 2011 | February 2, 2011 | July 27, 2011 | July 29, 2011 | August 3, 2011 |
| February 2, 2011 | February 4, 2011 | February 9, 2011 | August 3, 2011 | August 5, 2011 | August 10, 2011 |
| February 9, 2011 | February 11, 2011 | February 16, 2011 | August 10, 2011 | August 12, 2011 | August 17, 2011 |
| February 16, 2011 | February 18, 2011 | February 23, 2011 | August 17, 2011 | August 19, 2011 | August 24, 2011 |
| February 23, 2011 | February 25, 2011 | March 2, 2011 | August 24, 2011 | August 26, 2011 | August 31, 2011 |
| March 2, 2011 | March 4, 2011 | March 9, 2011 | August 31, 2011 | September 2, 2011 | September 7, 2011 |
| March 9, 2011 | March 11, 2011 | March 16, 2011 | September 7, 2011 | September 9, 2011 | September 14, 2011 |
| March 16, 2011 | March 18, 2011 | March 23, 2011 | September 14, 2011 | September 16, 2011 | September 21, 2011 |
| March 23, 2011 | March 25, 2011 | March 30, 2011 | September 21, 2011 | September 23, 2011 | September 28, 2011 |
| March 30, 2011 | April 1, 2011 | April 6, 2011 | September 28, 2011 | September 30, 2011 | October 5, 2011 |
| April 6, 2011 | April 8, 2011 | April 13, 2011 | October 5, 2011 | October 7, 2011 | October 12, 2011 |
| April 13, 2011 | April 15, 2011 | April 20, 2011 | October 12, 2011 | October 14, 2011 | October 19, 2011 |
| April 20, 2011 | April 22, 2011 | April 27, 2011 | October 19, 2011 | October 21, 2011 | October 26, 2011 |
| April 27, 2011 | April 29, 2011 | May 4, 2011 | October 26, 2011 | October 28, 2011 | November 2, 2011 |
| May 4, 2011 | May 6, 2011 | May 11, 2011 | November 2, 2011 | November 4, 2011 | November 9, 2011 |
| May 11, 2011 | May 13, 2011 | May 18, 2011 | November 8, 2011 | November 10, 2011 | November 15, 2011 |
| May 18, 2011 | May 20, 2011 | May 25, 2011 | November 16, 2011 | November 18, 2011 | November 23, 2011 |
| May 25, 2011 | May 27, 2011 | June 1, 2011 | November 21, 2011 | November 23, 2011 | November 28, 2011 |
| June 1, 2011 | June 3, 2011 | June 8, 2011 | November 30, 2011 | December 2, 2011 | December 7, 2011 |
| June 8, 2011 | June 10, 2011 | June 15, 2011 | December 7, 2011 | December 9, 2011 | December 14, 2011 |
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| June 22, 2011 | June 24, 2011 | June 29, 2011 | December 21, 2011 | December 23, 2011 | December 28, 2011 |
| June 29, 2011 | July 14, 2011 | July 6, 2011 | December 28, 2011 | December 30, 2011 | January 4, 2012 |